

REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1, 4, 5, 7-9, 12-14, 16 and 17. New claim 18 is added. Claim 17 is amended herein, and claim 10 is cancelled. Claims 2, 3, 6 and 15 remain cancelled, and claim 11 remains withdrawn. No new matter is presented.

Thus, claims 1, 4, 5, 7-9, 12-14 and 16-18 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 112:

Starting on page 2 of the outstanding Office Action, the Examiner rejected claim 17.

By this Amendment, claim 17 has been amended and no longer includes the language in the form rejected by the Examiner.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102(e):

Claims 1, 7, 12 and 16 were rejected as being anticipated by U.S. Patent No. 6,515,704 (Sato).

Sato does not teach or suggest "inserting the image data in a position among said sequence of images... responsive to a display order indicated by a user." Independent claims 7 and 12 recite similar features.

The Examiner alleges that the position of insertion of the newly captured image data results in the camera adjusting the sequence of image data. However, in contrast to "inserting the image data in a position among said sequence of images... responsive to a display order indicated by a user" (for example, claim 1), the thumbnail images in Sato are displayed in subwindows (102-113) in a clockwise direction (see, col. 5, lines 10-16 and FIG. 4), or at a predetermined window set as the initial position of the sequence of the subwindows (see, col. 6, lines 35-39).

Sato does not teach or suggest that the image data is "automatically stored at a selected position of the displayed sequence in accordance with a user's instruction when the image is acquired", as recited in claim 16. Instead of positioning the image in accordance with "a user's instruction", Sato simply inserts photographed images in the clockwise direction in the next sequential one of the subwindows.

Claim 17 also recites, "sorting said images according to an order identified by a user prior to said displaying and providing the images in accordance with said sorting", a feature not taught or suggested by Sato which fails to mention displaying images based on a display order identified by the user.

It is respectfully submitted that Sato does not disclose or suggest at least the feature of inserting an image at "a display order indicated by the user", as recited in the independent claims. Accordingly, Sato does not disclose every element of the Applicants' independent claims. In order for a reference to anticipate a claim, the reference must teach each and every element of the claim (MPEP §2131). Therefore, since Sato does not disclose the features recited in independent claims, as stated above, it is respectfully submitted that independent claims patentably distinguishes over Sato, and withdrawal of the §102(e) rejection is earnestly and respectfully solicited.

Lastly, Applicants respectfully traverse the Examiner's statement regarding inherency and point out that inherency may not be established by probabilities or possibilities. As discussed in detail above, Sato does not perform operations of the claimed invention including insertion of images photographed at a user specified location or position. Thus, Sato does not inherently or explicitly teach or suggest the claimed invention.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103(a):

Claims 4, 5, 8, 9, 13 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sato and/or U.S. Patent No. 5,943,050 (Bullock).

Claim 4 recites, "the inserting unit inserts the image data in the position between the images of said sequence of images, the image data already displayed are shifted frame by frame in a predetermined direction and thus displayed." Claims 8 and 13 recite similar features.

Claim 5 recites, "the image acquisition device is an outside device." Dependent claims 9 and 14 recite similar features.

Per the Examiner's own assertion, Sato fails to specifically disclose that the images are input from an outside device to the display, but relies on Bullock as teaching the same. Further, as Bullock merely displays a captured image adjacent to an image capture window and requires a user to manually select and discard a selected image from images displayed (see, column 6, lines 3-6), Bullock does not cure the deficiencies of Sato.

Sato and Bullock, alone or in combination, do not teach or suggest the above-identified features of the dependent claims.

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIM:

Sato and Bullock, alone or in combination, do not teach or suggest "... displaying said images in frames" and **"moving one of said images in a direction between said frames indicated by a user and inserting said one of images at a position among said frames indicated by said user"** (emphasis added).

As mentioned above, Sato only displays the thumbnail images in prescribed subwindows (see, col. 4, lines 42-51) and Bullock displays previously captured images adjacent to a currently captured image (see, col. 5, lines 45-57 and FIGS. 5 and 6).

It is submitted that new claim 18 is patentably distinguishable over the cited references.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

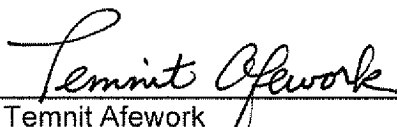
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 10/31/2007

By: 
Temnit Afework
Registration No. 58,202

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501